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obscure. Like a skilful draughtsman, he is seldom mistaken in his outline; he sees clearly the principle that underlies a given precedent, and, as in his mind's eye he strips the case of unnecessary clothing, he is able to present it with boldness and precision.

We cannot too much commend the rigid separation which he always observes between the results of the cases and his own opinions. Whenever he approaches a subject as to which there is a conflict of authorities, he is careful to lay both sides before the reader, first one side and then the other, and then in a paragraph headed "*Same subject—Author's views*," he restates the problem boldly and gives his own conclusions. We can say truthfully, and without fear of contradiction, that in these paragraphs headed "Author's Views" is to be found the most valuable portion of his work.

We hope that we have dwelt long enough on the philosophical side of Mr. ALDERSON'S book to make the student wish to read it. The theoretical knowledge of the law of process, which, as we have been told, enabled Judge Cadwalader, while at the bar, to dispense, if he chose, with the printed forms and to draw a writ off hand on a piece of blank foolscap paper, was, after all, part of that profound knowledge of the law which made him subsequently one of the most distinguished of our jurists. Such a theoretical knowledge of the law of process is apparent on every leaf of this most valuable treatise. We should not, however, do the author justice, did we not equally extol the practical aspect of his work. The every-day importance of the subject and the practical handling which it has received, will, we believe, secure to the book a place in the library of every active lawyer.

FRANCIS FISHER KANE.

HANDBOOK OF CRIMINAL PROCEDURE. By WM. T. CLARK, Jr.,
Author of Clark's Handbook of Criminal Law, Etc. St. Paul,
Minn.: West Publishing Co. 1895.

This admirable little volume forms an excellent companion to the Handbook of Criminal Law, issued some months ago by the same author; and what was said in praise of that book

applies equally to this. Here the practitioner may find in compact form all that is really necessary for practice in the trial of criminal cases; and he will find it decidedly to his advantage to have it always at his hand.

The author is very clear and positive, as usual, in his statements of the law, and less bound by authority than by the dictates of his own reason. For example, in speaking of extradition, after having mentioned the fact that there is a conflict on the question whether or not a person illegally arrested in a foreign country can be legally tried in the country to which he is brought, he very wisely adds, that in reason, it would appear that the person arrested should not be allowed to raise any objection, though an objection coming from the authorities of the country from which he was abducted should be regarded:—a distinction which does not seem to be stated, at least in such a concise manner, in any reported case.

There are, however, a few slight inaccuracies, or rather deficiencies, to be found in this volume. Such is the omission, in the discussion of the admissibility of dying declarations, to state that a declaration, made when not in fear of impending death, and therefore inadmissible, becomes admissible afterward, if reaffirmed when in expectation of death; this is so, whether the former declaration is first reread or repeated to the deceased, and then reaffirmed or assented to by him: *Rey v. Stull*, 12 Cox C. C. 168; or if simply reaffirmed, though not repeated or reread: *Johnson v. State*, (Ala.) 16 So. Rep. 99.

But these flaws are too trifling to impair the value of the work as a whole; and the Bar may feel assured that in this, as in the other volumes of this series, they will have a most useful volume for the table, to be kept at hand for constant reference,—and one that will rarely, if ever, disappoint them when they consult it.

X.

HISTORY OF THE LAW OF REAL PROPERTY IN NEW YORK.
By ROBERT LUDLOW FOWLER. New York: Baker, Voorhis
& Co. 1895.